

permits related to the construction of the Courtyard. In May 2002, Jiten submitted a Project Notification Form (the "PNF") to the BRA. Notice of the filing of the PNF was duly published in the Boston Herald on May 20, 2002, which initiated the public comment period with a closing date of June 19, 2002. Pursuant to Section 80B-5.3 of the Boston Zoning Code, a scoping session was held on June 5, 2002 with the City of Boston's public agencies, at which point the Courtyard project was reviewed and discussed. Jiten conducted a public meeting for the community's review and comment at the Holiday Inn Express, 69 R. Boston Street, Boston, MA (the "Holiday Inn Express") on June 19, 2002. A Scoping Determination was issued by the BRA on August 21, 2002. In March 2003, Jiten responded to the Scoping Determination by submitting a Draft Project Impact Report ("DPIR") to the BRA. Notice of the receipt of the DPIR was published in the Boston Herald on March 14, 2003, which initiated the public comment period with a closing date of April 14, 2003. Jiten conducted a public meeting for the community's review and comment on April 7, 2003 at the Holiday Inn Express. Following the closing date of the post-DPIR public comment period, on April 14, 2003, Jiten requested approvals from the BRA Board for the issuance of a Preliminary Adequacy Determination ("PAD") waiving further BRA review pursuant to Article 80B, Section 80B-5.4(c) of the Code, and for the issuance of a Certification of Completion under Section 80B-5.4(c) of the Code. However, Jiten's requests for a PAD and Certificate of Completion were not placed on the agenda for the BRA Board meetings occurring after April 14, 2003.

5. To determine why the BRA would not put the Courtyard project on the BRA Board's agenda, I contacted the Mayor of the City of Brockton, Jack Yunitz, to

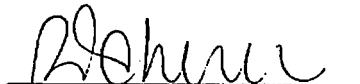
arrange a meeting with the Mayor of Boston, Thomas Menino.

6. Having still not been put on the BRA's agenda, in or around August 2003, I met with Mayor Menino, Mayor Yunitz, Mayor Yunitz's wife and Mayor Menino's driver at the Holiday Inn in Brockton. During this meeting, Mayor Menino informed me that in order to gain the BRA's approval for the Courtyard project, Jiten needed to meet with Janice Loux of UNITE HERE, Local 26 ("Local 26") and enter into an agreement whereby Local 26 would be able to organize the Courtyard's employees.

7. As a result of this meeting with Mayor Menino, Jiten's President Nayan Patel and I had a meeting with Local 26 President, Janice Loux to negotiate a card-check agreement. A member of the Board of Directors of the BRA, Joseph Nigro, also attended this meeting. Mr. Nigro instructed us that if Jiten did not enter into a card-check agreement with the Union, the BRA would not grant Jiten the necessary approvals.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: Brockton, MA
August 28, 2008


Beth Scherer